



APPROPRIATIONS UPDATE

HOUSE COMMITTEE ON THE BUDGET
Majority Caucus

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LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL FOR FISCAL YEAR 2002

SUMMARY

As reported by the Appropriations Committee, the Labor, Health and Human Services, Education, and Related Agencies appropriations bill (H.R. 3061) may exceed the appropriate 302(b) allocation and violates the Congressional Budget Act. Nevertheless, pursuant to the bipartisan agreement between the Congress and the administration, the

House Budget Committee plans to amend H. Con. Res. 83 and the Congressional Budget Act to increase the fiscal year 2002 allocations and discretionary spending limits. This action will allow the Appropriations Committee to revise its subcommittee allocations and, consequently, ensure that the bill complies with the budget resolution as revised.

COST OF THE LEGISLATION

The measure provides \$123.371 billion in new discretionary budget authority [BA] and \$106.828 billion in outlays in fiscal year 2002 – an increase of \$13.814 billion in BA from the fiscal year 2001 enacted amount. The bill as reported is \$7.043 billion above the President's request. The bill

includes \$300 million in emergency-designated appropriations for the Low-Income Home Energy Assistance Program [LIHEAP], which results in outlays of \$75 million in fiscal year 2002. A breakdown of the major spending categories appears on the following page.

Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill (fiscal years; millions of dollars)				
	2001 Enacted	Administration 2002 Request	302(b) for 2002	2002 Bill
Budget Authority	109,557	116,328	123,371	123,371
Outlays	95,937	105,933	106,828	106,828

COMPLIANCE WITH THE BUDGET ACT

The reported bill may exceed the appropriate 302(b) allocation to the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. The Appropriations Committee recently filed 302(b)s that were questionable because they were not consistent with the 302(a) established by the fiscal year 2002

budget resolution: the sum of the revised 302(b)s for the 13 Appropriations subcommittees exceeds the 302(a) allocation. The Appropriations Committee offset the overage with a negative allocation. For this reason, the bill is being considered under a special rule that waives all points of order against the consideration of the bill. In any case, it is

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expected that the Committee on the Budget will report legislation amending the concurrent budget resolution and the Congressional Budget Act to increase the fiscal year 2002 discretionary spending limits. The increase will reflect the recent bipartisan spending agreement. This will allow the

Appropriations Committee to revise its subcommittee allocations and, consequently, ensure that this bill complies with the Budget Act.

OTHER COMPLIANCE ISSUES

The bill provides \$433 million in BA and \$381 million in outlays for funding continuing disability reviews in the Social Security Program, and \$20 million in BA and \$3 million in outlays for adoption incentive payments. Pursuant to section 314 of the Budget Act, the House Budget Committee has increased the allocation to the House Appropriations Committee for these amounts, and made a corresponding

adjustment in the totals established in the budget resolution. The bill also contains \$18.462 billion in advance appropriations. Each of the advance appropriations is included on the list of anticipated advance appropriations under section 201 of the budget resolution conference report. The total of advance appropriations reported to date by the House does not exceed the limit imposed by section 201.

AUTHORIZATION ISSUES AND EMERGENCIES

The bill contains a \$2.875-billion delay of obligation for the National Institutes of Health funding until the last day of fiscal year 2002, which results in an outlay savings of \$750 million. The bill extends the Mark-To-Market Program for multifamily assisted housing, which results in savings of \$354 million in budget authority and \$355 million in outlays. The bill also contains language restoring the right of States to transfer up to 10 percent of their Temporary Assistance to

Needy Families [TANF] block grant to activities funded under the Title XX Social Services Block Grant. Restoration of this authority to transfer funds is estimated to result in an outlay cost of \$250 million.

As noted above, the bill contains \$300 million in emergency-designated appropriations for the Low-Income Home Energy Assistance Program.

Discretionary Spending in the Labor, HHS, Education Bill (in millions of dollars)			
	Budget Authority		Outlays
Department of Education	49,251	39,804
Department of Health and Human Services (other than the National Institutes of Health)	31,337	29,076
National Institutes of Health	22,874	18,897
Department of Labor	12,428	11,458
All other agencies and programs	7,481	7,593

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